

# Notice of Allowability

Application No.

10/024,773

Examiner

Aravind K. Moorthy

Applicant(s)

EPSTEIN, MICHAEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10 January 2005.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☒ The drawings filed on 20 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
AYAZ SHEIKH

SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

### **DETAILED ACTION**

1. This is in response to the amendment filed on 10 January 2005.
2. Claims 1-26 are pending in the application.
3. Claims 1-26 have been allowed.

### ***Response to Arguments***

4. Applicant's arguments, see pages 12-15, filed 10 January 2005, with respect to claims 1-20 have been fully considered and are persuasive. The rejection of the claims has been withdrawn.

### **5. Claims 1-26 are allowed.**

The following is an examiner's statement of reasons for allowance. As to independent claims 1, 6, 10, 15, 17 and 19, Prior art does not disclose, teach or fairly suggest receiving a request for a requested segment of a plurality of segments that comprises a data set. Prior art does not disclose, teach or fairly suggest determining that the requested segment is not included in a select subset of segments to be rendered of the plurality of segments that comprise the data set. Prior art does not disclose, teach or fairly suggest locating a substitute segment from a collection of substitute segments. Prior art does not disclose, teach or fairly suggest communicating the substitute segment in response to the request for the requested segment. Prior art does not disclose, teach or fairly suggest that the substitute segment having a watermark that contains a watermark value is associated with the requested segment. Prior art does not disclose, teach or fairly suggest a dictionary that is configured to provide a watermark value corresponding to the requested segment. Prior art does not disclose, teach or fairly suggest that the substitution device operably coupled to the interface and to the dictionary, which is configured to provide a substitute segment from a collection of watermarked segments in

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response to the request when the requested segment is not within in a selected subset of segments of the plurality of segments comprising the data set. Prior art does not disclose, teach or fairly suggest that the substitute segment includes a watermark that has the watermark value corresponding to the requested segment.

The closest prior art to the current application was Tewfik et al U.S. Patent No. 6,282,299 B1. Tewfik et al is similar to the current application in that they both generally relate to watermarks, but each is directed to wholly different objectives and methods for carrying out those objectives. Tewfik is generally directed to an object-based approach that embeds watermarks in objects that persist across frames. The novelty of Tewfik resides in the fact that watermarks are more difficult to detect as compared with prior art approaches that use an independent watermark applied to each frame. By embedding the same watermark in the object, as the object exists from frame to frame, statistical comparison does not yield the watermark thereby making detection difficult. Tewfik differs from the current application in that the current application is directed to overcoming a security procedure based on watermarks. Specifically, to overcome a watermark security system based on a limited set of possible watermark values, a collection of authentic watermarked material is created, and a substitution system provides material from this collection in lieu of the content material that the watermark verification system is intended to verify. A dictionary of expected watermarks for the data is provided. When the security system requests watermarked segments of the non-selected material, the dictionary of expected watermarks is accessed, and the appropriate authentic watermarked material is presented from the stored collection.

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The dependant claims, being further limiting to the independent claims, definite and enabled by the specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy *AM*  
April 28, 2005

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